

REMARKS

Favorable reconsideration of the application is respectfully requested in view of the amendments and remarks herein.

Claims 18-29 are pending in this application. By the present Amendment, Claims 18, 23, 26 and 27 are amended.

Claims 18, 19, 22-24 and 26-27 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,949,956 ("Fukuda") in view of U.S. Patent No. 5,617,145 ("Gonzales"); and the Chung et al. patent was added to this combination to reject Claims 20-21, 25 and 28-29. Applicant submits that Claims 18-29, at least in the form amended herein, are patentable over the cited references for at least the following reasons:

Considering Claim 18, for example, it is contended that any proper combination of the applied portions of Fukuda with those of Gonzales would not result in a signal coding method that includes:

"determining a coding difficulty for each unit time of an input signal;

obtaining a reference value of allocation data amount interrelated with said coding difficulty of said input signal for said each unit time based on a standardized relationship between coding difficulty and allocation data amount, *wherein said standardized relationship is based on a reference motion picture image sequence previously coded by way of variable bit rate coding with a predetermined average bit rate;*

modifying said reference value of said allocation data amount into an actual allocation data amount ..." (emphasis added)

In the coding difficulty calculation and bit allocation method of Fukuda, an average detector 601 is provided for detecting an average value of signal *levels* in a certain period of the video signal. (Col. 6, lines 25-41.) The coding difficulty is then determined based on this average value; and the allocated coding bits are determined as a function of the coding difficulty. The Office Action recognizes that Fukuda does not disclose a relationship based on a reference

motion picture image sequence coded by way of variable bit rate coding with a predetermined average bit rate. To this end, the Examiner relies on Gonzales et al. for teaching, "that average of the resulting picture bit allocation over time be equal to the target (predetermined) average picture bit allocation."

It is submitted that this reasoning is unsound for a number of reasons. First, the technique in Gonzales et al. is applicable specifically to video compression algorithms intended to produce a *fixed-bit-rate* compressed data stream. See col. 11, lines 18-20. The target bit rate in Gonzales is this fixed bit rate. By contrast, the standardized relationship of the present invention is based on *variable* bit rate coding with a predetermined average bit rate. Thus, Gonzales specifically teaches away from the present invention. Moreover, the target bit rate in Gonzales has nothing to do with a standardized relationship based on a *reference* motion picture image sequence *previously coded* with a predetermined average bit rate. Gonzales' target bit rate is merely that rate which he is striving to obtain for the signal being *currently* coded.

Accordingly, in light of the above distinctions, Applicant submits that the combination of Fukuda with Gonzales et al. does not teach or suggest each and every feature of independent Claims 18, 23, 26 and 27; and therefore these claims are not rendered obvious by the proposed Fukuda/Gonzales et al. combination under §103. Reconsideration and withdrawal of the rejections is therefore respectfully requested.

The remaining dependent claims in this application are patentable based at least upon their dependencies from the respective independent claims.

Chung et al. was relied upon for teaching pre-filter processing in the examiner's rejection of Claims 20-21, 25 and 28-29. Chung et al. likewise do not disclose or suggest the above-emphasized standardized relationship between coding difficulty and allocation data amount. As

such, Chung et al. do not cure the deficiencies of Fukuda and Gonzales with respect to the Applicant's claims.

Conclusion

In view of the foregoing, entry of this Amendment, and the allowance of this application with Claims 18-29 are respectfully solicited.

The above statements concerning the disclosures in the cited references represent the present opinion of Applicant's representative and, in the event that the Examiner disagrees, Applicant's representative respectfully requests the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

It is submitted that the claims in this application, as originally presented, are patentably distinct over the prior art cited by the examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. 112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made for clarification and to round out the scope of protection for the invention.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

Respectfully submitted,
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